

## **ABSTRACT**

PS – PR&RD Department - Irregularities in award of price adjustment on material/pipes procured etc., in Rural Water Supply (Projects) at Poduru and other habitations in West Godavari District – Disciplinary proceedings against Sri B.Venkata Giri, the then Assistant Executive Engineer, Rural Water Supply & Sanitation (Projects), Poduru, West Godavari District, under Rule 20 of the Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991 – Article of Charges – Orders - Issued.

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### **PANCHAYAT RAJ AND RURAL DEVELOPMENT(VIG.I) DEPARTMENT**

**G.O.RT.No. 64**

**Dated.22.01.2015**

Read the following:

- 1.From the GA (V&E) Appraisal Report No.70(498/V&E/E2/10), Dt.01.04.2014.
- 2.From the GA (V&E) Appraisal Report No.17(225/V&E/E2/11), Dt.26.07.2014.

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#### **ORDER:**

It is proposed to hold an inquiry against Sri B.Venkata Giri, the then Assistant Executive Engineer, Rural Water Supply & Sanitation (Projects), Poduru, West Godavari District, in accordance with the procedure laid down in Rule 20 of Andhra Pradesh Civil Services(CC&A) Rules, 1991.

2. The substance of the imputations of misconduct or misbehaviour in respect of which the inquiry is proposed to be held is set out in the enclosed statement of article of charges (Annexure-I). A list of documents by which, and a list of witnesses by whom, the articles of charge are proposed to be sustained are also enclosed (Annexure II and III).

3. Sri B.Venkata Giri, the then Assistant Executive Engineer, Rural Water Supply & Sanitation (Projects), Poduru, West Godavari District, is directed to submit a Written statement of his defence within 10 days of the receipt of this order.

4. Sri B.Venkata Giri, the then Assistant Executive Engineer, Rural Water Supply & Sanitation (Projects), Poduru, West Godavari District, is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri B.Venkata Giri, the then Assistant Executive Engineer, Rural Water Supply & Sanitation (Projects), Poduru, West Godavari District, is further informed that if he does not submit his written statement of defence on or before the date specified in para 3 above or otherwise fails or refuses to comply with the provisions of Rule 20 of Andhra Pradesh Civil Services (classification, control and appeal) Rules, 1991 or the orders/directions issued in pursuance of the said rules, the Inquiring Authority may hold the inquiry against him ex parte.

6. Attention of Sri B.Venkata Giri, the then Assistant Executive Engineer, Rural Water Supply & Sanitation (Projects), Poduru, West Godavari District, is invited to Rule 24 of the Andhra Pradesh Civil Services(Conduct) Rules, 1964, under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matter pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt with these proceedings it will be presumed that Sri B.Venkata Giri, the then Assistant Executive Engineer, Rural Water Supply & Sanitation (Projects), Poduru, West Godavari District, is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of rule 24 of Andhra Pradesh Civil Services(Conduct) Rules, 1964.

**(PTO)**

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7. The receipt of the order be acknowledgment.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr.K.S.JAWAHAR REDDY  
SECRETARY TO GOVERNMENT

To

Sri B.Venkata Giri, the then Assistant Executive Engineer, Rural  
Water Supply & Sanitation (Projects), Poduru, West  
Godavari District, **through** Engineer-in-Chief, Rural Water  
Supply & Sanitation Department, Hyderabad.

The Engineer in Chief, Rural Water Supply & Sanitation,  
Hyderabad.(with a request to serve the charges to the  
individual and furnish a served copy to Government,)

SF/SC.

//FORWARDED::BY::ORDER//

SECTION OFFICER

**ANNEXURE – I**

**STATEMENT SHOWING THE ARTICLE OF CHARGES FRAMED AGAINST  
SRI B.VENKATA GIRI, THE THEN ASSISTANT EXECUTIVE ENGINEER,  
RURAL WATER SUPPLY & SANITATION PROJECTS, PODURU.**

**CHARGE1:**

That Sri B.Venkata Giri, the then Assistant Executive Engineer, Rural Water Supply & Sanitation Projects, Poduru has failed to discharge his legitimate duties by violating the agreement clause 4.6 in purchasing of HR Plates and MS wire rods prior to the date of agreement.

**BASIS:**

As per Vigilance & Enforcement Department Appraisal Report No.70(498/V&E/E2/2010)-(ELURU), dt.1.4.2014, Sri B.Venkata Giri, the then Assistant Executive Engineer, Rural Water Supply & Sanitation Projects, Poduru, has derelicted his Legitimate Duties and purchased HR Plates and MS wire rods well in advance in the months of May 2006 & July 2006 prior to the date of agreement i.e., 16.12.2006 keeping in view of increasing price day by day and evaluation of price escalation for the same is totally irrelevant and misinterpretation of the Agreement Clause 4.6 that the clause of price escalation is applicable only when the work is in progress as per the original program schedule and that the price variation will be arrived on the material purchased during the progress of work. However, the price of the entire material in respect of 400mm dia BWSC Pipe was Procured at lesser Price (Invoice rate) than estimated rate and hence price variation based on the raw material cost in respect of the Plates and MS Wire rods does not arise. The price variation calculations adopted by Sri.B.Venkata Giri without considering the invoice rate which is lesser is not appropriate. Instead of effecting price reduction of Rs.4,44,902 /- he has paid an amount of Rs.52,73,056/- based on the raw material cost which is the against the norms. From this it is evident that he has shown Gross Negligence towards his Legitimate Duties and violated Rule (3) of Andhra Pradesh Civil Services (classification, control and appeal) Rules, 1964.

Hence the charge.

Dr.K.S.JAWAHAR REDDY  
SECRETARY TO GOVERNMENT

//FORWARDED::BY::ORDER//

SECTION OFFICER

**ANNEXURE - II**

**LIST OF THE DOCUMENTS BY WHICH THE ARTICLE CHARGES FRAMED  
AGAINST SRI B.VENKATA GIRI, THE THEN ASSISTANT EXECUTIVE  
ENGINEER, RURAL WATER SUPPLY & SANITATION PROJECTS, PODURU.**

Govt Memo.No.7905/Vig.I/2014-3, dt.19.07.2014 of PR&RD (Vig.I) Dept along  
with Appraisal Report No.70(498/V&E/E2/2010)-(ELURU), dt.1.4.2014  
of General Administration(V&E) Department.

Dr.K.S.JAWAHAR REDDY  
SECRETARY TO GOVERNMENT

//FORWARDED::BY::ORDER//

SECTION OFFICER

**ANNEXURE - III**

**LIST OF WITNESSES BY WHICH THE ARTICLE OF CHARGES ARE  
FRAMED AGAINST SRI B.VENKATA GIRI, THE THEN AEE, RWS&S  
PROJECTS, PODURU.**

- NIL -

Dr.K.S.JAWAHAR REDDY  
SECRETARY TO GOVERNMENT

//FORWARDED::BY::ORDER//

SECTION OFFICER